

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ORDER

IN RE HURRICANE SANDY CASES

14 MC 41

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THIS DOCUMENT APPLIES TO:

ALL RELATED CASES

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On December 2, 2013, the Committee issued Case Management Order # 13, setting forth various procedures intended to enhance the success of mediations in Hurricane Sandy cases.

CMO # 13 requires plaintiffs to “convey, in writing a demand to defendant’s counsel, along with a detailed description of plaintiff’s position regarding areas of disagreement, including any critiques of defendants’ expert’s or adjuster’s conclusions, supported by all documentation” at least 30 days prior to any scheduled mediation. (CMO # 13 at 10).

On December 8, 2013, Plaintiffs’ Liaison Counsel filed a letter seeking clarification of CMO #13. Specifically, plaintiffs contend that they will “be unable to meet the demand requirement” of CMO # 13 for cases where the Court has set deadlines for mediations to be completed within 30 days of the issuance of CMO #13. They also “do not wish to delay the mediations already scheduled,” and seek the Court’s guidance on which mediations should proceed under the CMO # 13 deadline.

The Committee directs the parties to confer as soon as possible with respect to the

mediations that have already been scheduled and determine whether the defendants have received sufficient information that will allow the parties to engage in meaningful settlement discussions. In the event that the parties agree that insufficient information has been provided, they may make applications to the Committee in those cases for extensions of their mediation deadlines.

SO ORDERED.

Dated: Brooklyn, New York
December 10, 2014

/S/ CHERYL L. POLLAK
Cheryl L. Pollak United States
Magistrate Judge

/S/ GARY BROWN
Gary Brown United States
Magistrate Judge

/S/ RAMON E. REYES, JR.
Ramon E. Reyes, Jr.
United States Magistrate Judge